

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

IN RE:)	Case No. 20-31053
SHANAE DENISE POTTS)	S.S.# xxx-xx-3642
)	
Debtor.)	Chapter 7 Bankruptcy

MOTION FOR AUTHORITY TO SELL DEBTOR'S VEHICLE

Comes now Rebecca Hoyt Fischer, Trustee, and for her Motion to Sell Vehicle states:

1. On February 28, 2020, Debtor purchased and obtained possession of a 2018 Hyundai Santa Fe Sport vehicle having VIN#5NMZT3LB7JH077852 (the "Vehicle") from Michiana Chrysler Dodge Jeep Ram in Mishawaka, IN. The purchase agreement was later assigned to AFS Acceptance LLC ("AFS").
2. On May 2, 2020, AFS perfected its security interest in the Vehicle, 64 days after the Debtor received possession of the Vehicle.
3. On November 17, 2020, AFS and the Trustee entered into an Agreed Judgment avoiding the lien of AFS Acceptance LLC, now considered an unsecured creditor.
4. After multiple attempts, the Debtor was not able to obtain financing to purchase the Vehicle from the bankruptcy estate.
5. The Trustee has filed an application to employ Greater Mishawaka Auto Auction ("Greater Mishawaka") as auctioneer to sell the Vehicle for the Trustee. Greater Mishawaka believes that the Vehicle will sell for approximately \$7,500.00 at auction. The Vehicle has over 100,000 miles and is in poor condition, including a cracked windshield, which negatively affects the value of the Vehicle..
6. It would be in the best interest of the creditors and of the estate if Greater Mishawaka was allowed to sell the Vehicle for a minimum of \$7,500.00 without further notice to this Court or creditors, by an established auction.

6. The Trustee further requests authority for Greater Mishawaka to deduct its commission and any necessary expenses from the gross sale of the Vehicle and turnover the remaining funds to the Trustee with an itemization of the expenses, transfer title of ownership and for all other proper relief in the premises.

WHEREFORE, the Trustee prays that Greater Mishawaka be authorized to accept the minimum sum of \$7,500.00 for the Vehicle and be authorized to transfer title to the purchaser upon receipt of the funds, without further notice to creditors and for all other just and proper relief in the premises.

Dated: December 16, 2020

/s/ Rebecca H. Fischer
Rebecca Hoyt Fischer, Trustee #10537-72
LADERER & FISCHER, P.C.
525 E. Colfax Ave., Unit #101
South Bend, IN 46617
Telephone: (574) 284-2354

CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2020, a true and correct copy of the above and foregoing Motion was served by depositing same in the United States mail, correct postage prepaid, upon the following parties:

U.S. Trustee
USTRegion10.SO.ECF@usdoj.gov

Tasha Reed Outlaw
TREEDOUTLAW@UPRIGHTLAW.COM

and by depositing same in the United States mail, correct postage prepaid, upon the following parties:

Shanae Denise Potts
1629 N. Adams St
South Bend, IN 46628

/s/ Rebecca Hoyt Fischer
Rebecca Hoyt Fischer